

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

LEE E. MOORE,

Plaintiff(s)

vs.

BETTY MITCHELL, WARDEN,

Defendant(s)

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Case Number: 1:00cv00023-SJD-MRM

District Judge Susan J. Dlott

ORDER

This matter is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to the United States Magistrate Judge. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and filed with this Court a decision and order that granted in part and denied in part Petitioner's motion for discovery (Doc. 93). Subsequently, the petitioner Lee E. Moore filed objections to the Magistrate Judge's order (Doc. 94).

For nondispositive matters, a district judge shall set aside any portion of a magistrate judge's order found to be clearly erroneous or contrary to law. Fed. R. Civ. P. 72(a). "A finding is clearly erroneous where it is against the clear weight of the evidence or where the court is of the definite and firm conviction that a mistake has been made." Galbraith v. Northern Telecom, Inc., 944 F.2d 275, 281 (6<sup>th</sup> Cir. 1991).

The Court has reviewed the decision of the Magistrate Judge and considered all of the filings in this matter. Upon consideration of the foregoing, the Court hereby OVERRULES the objections of the petitioner Lee E. Moore.

IT IS SO ORDERED.

\_\_\_\_s/Susan J. Dlott\_\_\_\_\_  
Susan J. Dlott  
United States District Judge